



*Connecting people to jobs, resources, monetary
benefits, workplace protections and labor market
information to promote financial independence,
workplace justice and a strong economy.*

DEPARTMENT OF LABOR

STRATEGIC PLAN

Fiscal Years 2007 - 2009

**Thomas B. Sharp
Secretary of Labor
October 11, 2005**

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MISSION STATEMENT

The mission of the Delaware Department of Labor is to connect people to jobs, resources, monetary benefits, workplace protections and labor market information to promote financial independence, workplace justice and a strong economy.

DEPARTMENT PURPOSE

The Department of Labor (DOL) is the most affordable and accessible entity in the state of Delaware for services, information and resources to prepare, support, and sustain a safe, fair, inclusive and vibrant work environment. Customers are any citizen seeking employment-related services, or information about employers. DOL connects people to jobs, resources, monetary benefits, workplace protections and labor market information in order to promote financial independence, workplace justice and a strong economy. No other entity works with the spectrum of customers delivering workforce services as much as DOL does.

DOL has sites throughout the state that offer an array of services and products in a single location to meet the varied needs of citizenry relative to employment, and sustenance resources for individuals and organizations. Access to the department is also easily obtained on-line that provide customers various service access options to best suit client choice. The department provides:

- **ECONOMIC SUSTENANCE** for individuals and their families by connecting eligible applicants to temporary, partial income benefits during periods of unemployment due to layoff or work-related injury;
- **EMPLOYMENT SERVICES** that include: job placement, education, training, workforce readiness activities, job search assistance, employee recruitment and training. Customers include employers and job seekers, such as youth, ex-offenders, previously dependent spouses, individuals with disabilities, dislocated workers and veterans;
- **EMPLOYMENT RIGHTS and PROTECTIONS** that include: labor law awareness; training and enforcement; investigations of alleged labor law violations, mediation, case resolution and enforcement; advocacy for issues, policies and laws in support of justice in the workplace;
- **SAFE AND HEALTHY WORK ENVIRONMENTS** by providing free health and safety consultations to private employers, resources to deal with domestic violence and workplace violence;
- **DATA TRENDS FORECASTING**, analysis and information regarding the labor market such as employment trends, forecasting of job growth/decline, and industry analysis to help support individual growth, promote economic development and better inform policy makers about the economic and workforce future;
- **KNOWLEDGE**, information, resources and strategies to improve, support and assist job seekers, employees, and employers in their awareness and understanding of matters influencing and impacting work now and in the future.

Public resources are devoted to support these services because the alternatives to the early intervention, prevention and temporary income maintenance DOL provides are more costly, less timely alternatives that are more destructive to individuals, families, businesses, Delaware's economy, and society as a whole. Public resources also support DOL services because state and federal policy leaders (and policy advocates) recognize that the protection and promotion of the civil and human rights is a governmental responsibility.

Federal funds comprise over 60% of the department's budget and are specifically designated for certain purposes and customer groups, such as youth, laid-off workers, veterans and individuals who experience barriers to employment.

State resources, including General Funds and Appropriated Special Funds, comprise slightly less than 40% of the DOL budget.

CORE SERVICES, OBJECTIVES and PERFORMANCE **MEASURES**

In keeping with the Department of Labor's mission, the core services of the department are

- **Connecting people to monetary benefits;**
- **Connecting people to jobs** and to training that will increase career opportunities, and connecting businesses to qualified workers;
- **Connecting people and employers to workplace protections** and workplace wellness opportunities;
- **Connecting people and employers to resources**, ideas, data, knowledge and future-focused strategies.

The department's core services, essential for the reasons noted in Section I, also support Governor Minner's primary goals for Delaware:

1. Schools that set high standards and prepare children for college, work and life. DOL works closely with the schools in support of this goal by providing information (written as well as face to face sessions) to students related to occupations and careers to help them transition from school to work. The DVR/DOE transition program reduces the drop out rate of students with disabilities;

2. A Livable Delaware that strengthens communities and preserves the quality of life. DOL provides easy, statewide access to DOL information and resources and effectively uses technology as a service option;

3. Health, safety and self sufficiency for every Delaware family. The Department of Labor:

- Provides eligible people with temporary income support until they are able to work again;
- Determines if people are eligible for long-term disability benefits through the Social security Administration (SSA), which will provide an income to people unable to work for a year or more due to a disability;
- Protects workers legally and from a safety standpoint while on the job and educates employers so they can provide a safe and fair workplace;
- Assists people (the majority being people with barriers to employment, such as disabilities, criminal records, a poor prospect of returning to the same job) with finding training leading to a job or finding a job so they can become self-sufficient;
- Provides information about careers, labor market projections, and support services that will better enable people to work. Intelligent economic policy cannot be had, nor a first class workforce sustained, without essential economic and workforce information, including future trends.

All this will promote economic stability and vitality for individuals, families, businesses and the state as a whole. DOL services support the economy of Delaware, generate

increased tax revenue, and reduce demand for public support benefits (such as welfare, placement in group homes, or nursing homes).

The department's objectives and performance measures relate to:

- Timeliness – reducing process times;
- Accuracy – ensuring that efficiency and timeliness don't compromise accuracy;
- Quality jobs and retention – increasing employment and retention rates;
- Workplace safety and wellness – reducing the incidence of workplace injuries and illnesses;
- Information, Data, Resources- being a leading source for data, trends and emerging workplace issues and innovations;
- Customer satisfaction.

CORE SERVICE #1

CONNECTING PEOPLE TO MONETARY BENEFITS

The department connects people to monetary benefits by providing:

- Temporary income maintenance for workers who become unemployed through no fault of their own (unemployment insurance);
- Compensation to employees unable to work as a result of an industrial accident: benefits for medical treatment and wage replacement during the period of their disability (workers' compensation);
- Case adjudication for people who are unable to work as a result of a long-term disability to determine if they are eligible to receive social security benefits;
- Lost wage recovery for workers determined not to have been paid correct wages or having lost wages as a result of a labor standard violation.

These services are essential in order to provide a financial safety net while people are temporarily out of work due to lay off, work injury or disability, or due to a long term (one year plus) disability that will prevent them from going back to work for over a year, if ever. It's also essential to have an agency that enforces labor laws so people who are not paid wages, for which they are entitled, are able to come to obtain assistance for free without having to go to court.

KEY OBJECTIVES FOR CONNECTING PEOPLE TO MONETARY BENEFITS

RESULT OBJECTIVE #1-A

Exceed and maintain first payment timeliness average of no less than 90.3% (made within 21 days of the first compensable week ending date) for all unemployment insurance claims.

Baseline performance level: The US DOL's standard for all UI claims is a minimum of 87% of first payments made within 21 days of the first compensable week ending date.

Strategies:

- Provide another e-government enhancement, specifically the option to file a new or reopened unemployment insurance claim via the Internet;
- Enable claims intake staff to process claims online in our local offices instead of taking paper claims to be data entered later during the workday. (This is a spin-off initiative of the new or reopened claims via the Internet project);
- Streamline and/or make processes more efficient, e.g. utilize new mail metering equipment for mainframe computer-generated mailings;

- Supplement permanent staff resources with seasonal and/or temporary employment agency staff resources during cyclical peak workload periods, during economic down turns, and during staff vacation periods;
- Continue to reengineer the non-monetary determination process (claims adjudication process) at the local office to include use of an automated case tracking system by all claims adjudicators and the monthly review of case timeliness performance with claims adjudicators;
- Provide annual formal training sessions to intake and adjudication staff to insure that claim procedures/processes are completely understood and to emphasize the importance of timely benefit payments;
- Increase use of “TeleBenefits” by 20% over the next three years by utilizing informational outreach to UI claimants.

This is an ongoing key objective since the primary mission of the unemployment insurance program is to provide partial, temporary income maintenance to Delaware workers who become unemployed through no fault of their own. The timely payment of unemployment insurance benefits helps lessen the economic insecurity of out of work Delawareans during a time of need.

PERFORMANCE MEASURE #1-A

First payment timeliness for UI claims.

Benefit payment timeliness is a key evaluation of how quickly temporary/partial income maintenance resources are provided to Delaware workers who become unemployed through no fault of their own.

Unemployment Claims:

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
90.5%	92.4%	93.3%	93.5%	93.4%	93.4%	93.5%

RESULT OBJECTIVE #1-B

Maintain an unemployment insurance trust fund capable of supporting more than 12 months of benefit payments at the highest level historically experienced.

Baseline performance level: The US DOL’s standard for UI Trust Fund solvency is to maintain a fund balance of at least equal to, or greater than, 12 months of benefits.

Strategies:

- Increase the taxable wage base. Delaware employers currently pay an assessed unemployment insurance tax on the first \$8,500 of wages of each of the employer’s workers. The taxable wage base has been \$8,500 since 1987. Legislative action would be required to implement this strategy;

- Remove the cap of the calculation of the state experience factor. Allow the state experience factor (total benefits paid from the UI Trust Fund during the most recent three completed experience years divided by the total of the benefit wages of all employers during the same three years) to be its actual calculated level, instead of having any increase in the state experience factor be limited by a cap. Legislative action would be required to implement this strategy;
- Any increase in maximum weekly benefit amount should be accompanied by an increase in employer taxes. If legislation is proposed to increase the maximum weekly benefit amount from its current level of \$330.00, legislation to increase employer taxes must also be proposed to generate sufficient funds to support the cost of the additional unemployment insurance benefits;
- Increase benefit overpayments establishment and recovery efforts. Continue to be proactive in benefit overpayment collection activities by establishing and utilizing a cross-match system with the Division of Child Support's New Hire Directory to locate individuals that received an overpayment of benefits; and to identify potential weeks of UI benefits overpaid by comparing wages earned and benefits paid. This process should enable us to identify and collect overpayments much more timely. In addition, the Division of Unemployment Insurance is evaluating and streamlining its internal processes, replacing manual processes with automation whenever practical;
- Increase collection of delinquent employer tax efforts. Continue to be proactive in delinquent employer tax collection activities by utilizing such methods as state business tax refund intercept, payment agreements, judgments, demand for payment letters, and telephone calls;
- Increase timeliness for establishing employer tax accounts by 5.0% over the next three years via enhanced automation and employer outreach activities.

This is an ongoing key objective as the payment of UI benefits is dependent upon the solvency of the UI Trust Fund.

PERFORMANCE MEASURE # 1-B

Unemployment Insurance trust fund solvency.

The solvency of the UI Trust Fund; i.e. the number of months of benefits in the fund is a key evaluation of how the fund can respond to demands upon it, especially during an economic down turn.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
22.68 months	17.88 months	15.60 months	15.00 months	13.20 months	13.50 months	13.80 months

Variables that affect the delivery of this core service include:

- UI benefit payments system and trust fund solvency: Economic downturn, staff shortages and decreased federal funding can negatively impact timeliness of service delivery and our ability to meet federal performance standards. Changes in federal laws and/or regulations can also affect the ability to meet federal performance standards. High number of lay offs coupled with staff vacancies can impact the division's ability to pay benefits as timely as it would like. The Division of Unemployment Insurance has continued to develop strategies and processes, including the availability of e-government options, to maintain the timely payment of benefits;
- The ability to meet the trust fund solvency objective is impacted by the strength of the economy and the demands on the UI trust fund. A significant increase in the number of layoffs over an extended period can impact the division's ability to maintain a solvent trust fund;
- On the positive side, new e-government processes have helped improve customer service over the past few years. Program improvements, such as the "TeleBenefits" customer service option (over 37% of individuals claiming a weekly UI check currently use this option) and the automated certification system, have helped to successfully expedite the processing of UI benefit checks. Additional enhancements, such as the option to file new or reopened unemployment insurance claims via the Internet, will further improve service delivery in the future;

RESULT OBJECTIVE #1-C:

Reduce the number of days between the filing of a workers' compensation petition and a decision mailed by 5% per year for the next three years.

Baseline Performance Level: Delaware Code Title 19, Chapter 23 requires hearings to be held within 120 days for specific cases, while the agency processes all cases within 108 days.

Strategies:

- Continue to encourage the use of hearing officers to hear disputed cases in lieu of the Industrial Accident Board (IAB);
- Continue to encourage the parties in select cases to utilize the workers' compensation specialist to assist in the settlement of cases. (At the present time the office only has one position, however, a request to reclassify three additional positions is awaiting a decision from state personnel.) The agency continues to encourage this option through forums, seminars, etc. If the three positions are reclassified (one for the downstate office) the number of cases resolved through the assistance of the workers' compensation specialist will increase. Operational improvements are dependent upon reclassifications.

As detailed in the agency's annual report, each year since the statute was amended to allow an alternative to the IAB hearing cases, litigants have increasingly opted for hearing officers to resolve cases.

PERFORMANCE MEASURE #1-C

of days between filing a workers' compensation petition and a decision mailed

Timely processing and resolution of cases decreases the time it takes for the eligible customer to obtain benefits. The measure helps indicate efficiency and effective processes.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
114 days	109 days	108 days	104 days	100 days	95 days	90 days

Variables that affect the delivery of this core service include:

- The division's enhanced web site will allow for customers to download information and forms used for filing for benefits. This will help in reducing the number of days needed to resolve a case;
- While the agency continued to reduce the number of days from the filing of a petition to the issuance of a decision, (108 days in FY '05 from 109 days in FY '04) it did not meet the 104 days as projected. This was due, in large part, to the vacancies of two of the seven hearing officer positions for an extended period of time;
- Legislation (Senate Bill 224) proposed in June 2005 will have no impact on the timeliness of the processing of cases; however, amendments yet to be proposed to the bill could have a significant impact.

RESULT OBJECTIVE #I-D

Adjudicate disability determination claims within an average of 85 days on an annual basis.

The Social Security Administration (SSA) requires 104 days. (Social Security Performance Plan for FFY 2004 and 2005)

Strategies:

- Develop and implement an electronic disability folder. This will necessitate converting a current paper process to a paperless (electronic) business process by spring of 2006. The goal is to reduce the time required to request, receive and process medical records by requesting, receiving and processing medical records electronically. We plan to develop the system's efficiency over the next two to three years to allow a reduction in processing time and to avoid timing associated with mailing;
- Supplement permanent staff resources with seasonal and/or temporary clerical support staff, as well as with other contractual services. Paid overtime will be utilized when funding is available;
- Continue ongoing staff training for purposes of sharpening skills and reducing case processing time;

- Continue to pursue salary increases for adjudicators to be able to attract and retain trained staff and meet workload demands;
- Initiate a “quick decision” process designed to triage incoming disability claims and process obvious disability eligibility cases more efficiently and timely.

PERFORMANCE MEASURE #1-D

Average processing time of disability determination cases

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
79.2 days	97.5 days	105 days	100 days	95 days	90 days	85 days

Variables that affect the delivery of this core service include:

- The level of financial resources, the number of staff permitted and the number of cases needing adjudication. With a sharp increase in cases, a reduction in staff and a state hiring freeze that precluded the agency from hiring seven positions authorized by the Social Security Administration, Delaware’s national performance rank has dropped. With consistent annual hiring authority and proper staffing levels, the result could be improved by 10 – 20 days.

RESULT OBJECTIVE # I-E

Achieve a 96% accuracy rating from federal quality review of Disability Determination Services cases.

Delaware has an internal case accuracy performance standard of 94-95 %. This includes both decisional and documentation accuracy. A threshold of 90.6% is established by SSA regulation.

Strategies:

- Continue to provide adequate training and effective in-house program integrity and quality control review;
- Pursue reclassification of adjudicator career ladder positions in order to attract better qualified candidates;
- Institute an in-process quality review of cases in addition to the current end-of-line pre-effectuation quality review;
- In an electronic case processing environment, investigating the potential of referring case consultations and assessments to medical specialists, as appropriate.

PERFORMANCE MEASURE #I-E

Accuracy rating of adjudicated disability determination cases.

FFY 2003 Actual	FFY 2004 Actual	FFY 2005 Actual	FFY 2006 Budget	FFY 2007 Projected	FFY 2008 Projected	FFY 2009 Projected
95.2	93.2	95.0	95.0	95.0	96.0	96.0

Variables that affect the delivery of this core service include:

- Staff resources and staff workload. Since FY 2001, the Office of Disability Determination Service has experienced an average growth in workload of 14.2%. In 2004, the workload increase was 22.6%. The average four year attrition rate is 16%. During the same period, total full-time staff has increased only by 7%. The office currently has five adjudicator vacancies and five more people are eligible to retire within the next few years. As it takes two years for a new adjudicator to become trained and able to handle a caseload independently, the ability of the DDS to meet workload and performance goals will be negatively impacted. With high staff turnover and a low pay grade (the approved pay grade for the adjudicator positions is a pay grade 8); it is very difficult to attract candidates who have experience. Once trained, the employees are hired away by other disability determination offices and the Social Security Administration that are able to pay much higher salaries.

The DDS is addressing the resource gap by utilizing other state and federal assistance with workload completion, as well as transitioning the agency into a totally paperless environment. The hope is to attain some long-term business process efficiencies in order to lower processing time, increase productivity and maintain manageable workloads to help ensure continued quality decisions.

DDS has also been trying to address employee turnover for approximately a decade by requesting a salary increase for the adjudicator positions. (Delaware's salaries are in the lowest 10% in the country.) Finally, a reclassification to a Pay Grade 10 has been approved at several levels and has been awaiting final approval from the Office of State Personnel Classification Committee for several months. However, not having approval for a higher pay grade immediately will have a long term impact in that the job postings to replace the five vacant positions will reflect the current PG 8 salary. This will affect the applicant pool.

CORE SERVICE # 2

CONNECTING PEOPLE TO JOBS

This service is essential as it contributes to lower unemployment, a stronger state economy, an increased tax base and decreased crime. Job placements result in self-sufficient individuals and families with a higher economic quality of living and improved earnings with a reduction of the use of publicly supported services. Job training contributes to the availability of a skilled workforce. All services are provided regardless of gender, race, ethnicity or disability.

KEY OBJECTIVES FOR CONNECTING PEOPLE TO JOBS

RESULT OBJECTIVE #2-A

Place seven out of ten people in jobs (DET).

The entered employment rate (EER) is obtained by matching the individuals registered with DET to the number of individuals showing wages in the unemployment insurance database. The number of UI wage record hits is divided by the number of registrations. (Note that the Division of Employment and Training negotiates a performance goal with the U.S. Department of Labor annually.)

DET's focus is to assist unemployed and underemployed individuals obtain or increase employment, retain employment, increase earnings, increase occupational skill attainment by participants and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the workforce.

Strategies:

- Improve automation to meet the increasing demand to provide performance data and to manage customer information, DET developed an MIS system, the Virtual Career Network (VCNet). In the eight years since first put into service, the system has been modified and enhanced while performance data collection grew increasingly complex and technology advanced. In partnership with the private sector, technology has been developed to better meet the needs of government data collection and management. Therefore, DET plans to begin migrating the MIS to a Virtual One-Stop – a data collection and management internet system. This system will allow for the integration of various data sources such as career services, job matching, benefits information, case management, education and training information and referral, and labor market information;
- Increase Outreach. DET plans to purchase a Mobile Career Center, a customized motor coach fitted with satellite Internet computers and workspace areas. This unit will allow DET staff to go on-site to serve workers at their job locations prior to any downsizing. DET can also provide positive recruitment efforts to employers, conduct outreach to schools, facilitate

prison-to-work activities, assist migrant and seasonal farm workers, and participate in job fairs. These units can go to where the demand is and allow for agency registration, information dissemination and service delivery;

- Continue redesigning and implementing a streamlined one-stop model;
- Provide intensive training and retraining of one-stop front-line staff;
- Develop and implement a wider variety of intensive services provided to job seekers (including prison-to-work and welfare-to-work job seekers);
- Apply for additional funding through the competitive grant process.

PERFORMANCE MEASURE #2-A

Entered Employment Rate. The Entered Employment Rates are combined rates for the Workforce Investment Act (WIA) Adult, Dislocated worker, and Youth programs. It does not include Employment Service/Veterans because the USDOL has only recently included these measures.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
78 %	82%	78%**	79%	79%	79%	79%

**This is the level negotiated with the USDOL. Actual performance will not be available until January 2006.

Variables that affect the delivery of this core service include:

Some of the negative factors that may impact our achieving our objective include:

- An increasing decline in federal formula grant dollars;
- USDOL is moving toward “Common Measures” that will require revised data collection timeframes and definitions;
- A shift in jobs from higher paying manufacturing to lower paying service industries.

Some of the positive factors that may impact our achieving our objective include:

- The redesign and streamlining of One-Stop services;
- Increased intensive training for One-Stop front-line staff;
- Performance numbers are obtained from the UI wage database that is improving their data collection efforts.

Performance is based on a rolling four-quarter system that allows the most recent 12 months to be reflected in data collection.

RESULT OBJECTIVE #2-B

Obtain a retained employment rate of 75% by FY 2007 for DET customers completing training.

This result objective is a compilation of the results of many programs including the Workforce Investment Act (for adults, dislocated workers, and older youth) the Blue Collar Jobs Act and the Delaware Skills Grant Program. Each one has its own standards and benchmarks.

Strategy:

Provide case-managed guidance and support to job entrants for 12 months upon placement to assist in overcoming barriers that would otherwise lead to job loss.

PERFORMANCE MEASURE #2-B

Retained employment rate for DET clients.

The retention rates are combined rates for the Workforce Investment Act (WIA) Adult, Dislocated Worker, and Youth programs. It does not include ES/Vets because the U.S. DOL has only recently included these measures.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
67 %	78 %	71% **	72%	72%	72%	72%

**This is the level negotiated with the US DOL. Actual performance will not be available until January 2006.

Variables that affect the delivery of this core service include:

Some of the negative factors that may impact achieving our objectives include:

- USDOL is moving toward “Common Measures” that will require revised data collection timeframes and definitions;
- A shift in jobs from higher paying manufacturing to lower paying service industries.

Some of the positive factors that may impact achieving our objectives include:

- The redesign and streamlining of One-Stop services;
- Increased intensive training for One-stop front-line staff;
- The performance numbers are obtained from the UI wage database that is improving data collection.

Performance is based on a rolling four quarter system that allows the most recent twelve months to be reflected in data collection.

RESULT OBJECTIVE # 2-C

Increase the number of employment outcomes for severely disabled customers by 1% each year for the next three years.

Strategies:

- Provide better information to counselors regarding available services and training programs available to prepare for employment;
- Identify new funding sources. Share costs with other agencies; work with Office of Workers' Compensation and the Division of Employment & Training; reduce recidivism by increasing client follow up to promote job retention; self pay (better use of financial statements);
- Improve job placement efficiencies. DVR is part of a nationwide initiative of vocational rehabilitation agencies developing an employer network to provide more job opportunities for people with significant disabilities. DVR will coordinate efforts with DVR contractors providing placement services to improve overall job placement activities;
- Establish a new Supported Employment Initiative. DVR and the Division of Substance Abuse and Mental Health received a four year grant from Johnson & Johnson to work with the Dartmouth Psychiatric Rehabilitation Center to develop Evidence-Based Supported Employment for individuals with significant mental illness. The first year funding will be used to develop the prescribed service model that will include training individuals on the evidence based model and identifying teams within the treatment facilities to carry out the activities. The funding for year one began on July 1, 2005;
- Continue to conduct selective placement. DVR assigned a coordinator to track all DVR clients who are Selective Placement candidates. DVR is working with the newly reorganized Office of Management and Budget to find effective ways to use the Selective Placement Program to increase hiring of people with disabilities into state employment;
- Continue benefits counseling. DVR received a five-year systems change grant in FFY2002 to implement a benefits counseling program. The program, which provides five statewide benefit counselors, is currently in its 4th year of operation. By providing information to clients regarding the impact of employment on disability related benefits, people will be able to make informed decisions regarding employment and income related benefits. This will be especially helpful for people receiving Social Security Disability benefits and Medicaid, all of whom are individuals with significant disabilities. The program will strive to serve more individuals in the next two years as outreach and referrals increase. This important program will be funded for two more years through a federal grant. It is extremely important to find an alternative funding source to maintain this vital service for people with disabilities receiving public support benefits;
- Continue increased identification. DVR has developed a resource tool to help DVR counselors more accurately identify and document clients who have significant disabilities. The process is based on analyzing the functional capacities of the individuals in terms of mobility, communication, self-care,

self-direction, interpersonal skills, work tolerance, and work skills as identified in the Rehabilitation Act.

PERFORMANCE MEASURE # 2-C

of people with severe disabilities placed in jobs

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
845	796	830**	838	846	854	863

** DVR's FY 2005 does not end until Sept. 30, 2005; thus, this figure reflects expected results.

Variables that affect the delivery of this core service include:

- DVR is an innovative agency staffed by dedicated and well-trained individuals. Staff have strong, vital partnerships with many agencies and organizations that want to work with the division to better serve clients in common; however, economic conditions impact the ability of our staff to assist our customers in obtaining and retaining employment. When the economy is good, and companies are hiring, it is easier to assist clients in finding jobs. When the economy is struggling, more clients request services and jobs are more difficult to find. In the upcoming year, some of division's former clients whose employment retention we are tracking may face lay-offs due to projected changes at MBNA, as well due to the results the ripple effect that these lay-offs may cause. Some of these individuals will return to DVR for services, a sign of faith in our ability to provide quality services, but negatively affecting the division's retention performance, caseloads and resources.

RESULT OBJECTIVE #2-D

Maintain a retained employment rate of 85% for individuals who retain their employment by at least 12 months for the next three years.

Baseline performance level: 75%. A national study conducted by the Research Training Institute indicated 84% of disabled clients retained jobs for at least 12 months.

Strategies:

- **Benefits Counseling.** DVR received a five-year systems change grant in FFY 2002 to implement a benefits counseling program. By providing information to clients regarding the impact of employment on disability related benefits, people will be able to make informed decisions regarding employment and income related benefits. One of the reasons people leave employment is the adverse impact of income on their support benefits. By helping people make better decisions regarding the appropriate amount of income they can earn and keep critical benefits, people will be able to maintain employment. This will be especially helpful for people receiving Social Security Disability benefits and Medicaid, all of who are individuals with significant disabilities;
- **Post-Employment Services.** DVR can provide continuing support for individuals after they have achieved their employment goal through post-

employment services. By better tracking of individuals after they have become employed, DVR hopes to identify individuals who are at risk of losing employment, and providing needed supports to help them maintain their employment. This is a short-term objective, since it can be developed and implemented within one year. The overall stability of the economy and employment will have a significant impact on this as well, since last employed are often the first laid-off in economic downturns;

- Focus on jobs with most available openings in the community in order to identify stable and growth positions for employment;
- Maximize training opportunities that lead to employment in stable/growing fields in the community.

PERFORMANCE MEASURE #2-D

Retained employment rate for DVR clients placed in jobs (six months and 12 months after employment)

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
84%	84%	85%**	85%	85%	85%	85%

** DVR's FY 2005 does not end until Sept. 30, 2005; thus, this figure reflects expected results.

Variables that affect the delivery of this core service include:

- The primary reasons cited by individuals who have lost their jobs after finding employment with DVR assistance are problems related to their disability;
- Economic conditions that impact employment generally such as lay offs downsizing, outsourcing, and plant closings, impact individuals with disabilities particularly.

CORE SERVICE #3

CONNECTING PEOPLE TO WORKFORCE PROTECTIONS

Workforce protections address the enforcement of laws and resolution of claims that help create and maintain a fair and safe workplace. It also assists employers in providing such a work environment through educational means. Even though protections exist at the federal level, this core service is essential or desirable at the state level because we have added protections and the ability to provide local services for the convenience of constituents. Workforce protection actually increases profitability, worker productivity and decreases lawsuits and it provides monetary resolution for people with legitimate wage claims.

KEY OBJECTIVES FOR CONNECTING PEOPLE TO WORKFORCE PROTECTIONS

RESULT OBJECTIVE # 3-A

Decrease the average number of days to resolve discrimination cases to 182 days by FY 2009.

(The baseline performance level was 311 days in FY 2004.) The federal EEOC mandates certain case resolution numbers in accordance with an annual work share agreement. The FY 2005 contract mandated 780 case resolutions.

Strategies:

- Consistent with the revised Discrimination in Employment Act (Delaware Code Title 19 Chapter 7, subchapters II and III, which took effect September 10, 2004), the OLLE established a preliminary determination mechanism that allows for expedited processing where appropriate;
- Increase the number of cases resolved by the mediation program that was established in 2004 and is also mandated by the revised law. In 2005, 113 cases (13.2%) were resolved through mediation. These cases typically are resolved within 90 days of filing;
- An enhanced focus on settlement at every stage of investigation and beyond, such as continuing and increasing the staff training program for investigators and mediators on techniques of alternative methods of dispute resolution; and strengthen our restructured conciliation program that has already reduced the average conciliation processing time from 90 days to 30 days;
- Increase the application of enforcement techniques that have proven to expedite case resolution, such as on-site visits and fact-finding conferences; and the standardization of components of investigations with improved use of form documentation and automation;
- Continue to work toward fully automated processes and continue to identify other opportunities for streamlining.

The combined effect of programs started in 2004 have helped reduce the average case processing time from 308 days during the first quarter of FY 2005 to 242 days during the last quarter of FY 2005. (The overall average case processing time for the entire year was 295 days.) The strategies noted above will enable staff to make continued progress toward the overall goal of delivering quality case resolutions to Delaware in a timely fashion.

PERFORMANCE MEASURE # 3-A

Average # of days between intake and resolution of discrimination in employment claims.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
288 days	311 days	295 days	240 days	220 days	200 days	182 days

Variables that affect the delivery of this core service include:

- The number of cases filed each year and the number of staff available to handle cases. Case filings increased significantly over the past four years – an average of 59% over the previous three-year period. Case filings tend to increase in times of rising unemployment; the impending MBNA layoff and its ripple effects may impact the number of cases filed during this next measurement period. The agency continues to implement measures to streamline the process which have a positive impact on our ability to achieve this objective.

RESULT OBJECTIVE # 3-B

Decrease the average amount of time to resolve labor standard cases by 15% per year over the next three years.

Baseline performance level 30 days

The agency plans to achieve this objective by creating a more efficient computer database system to track cases and case activity so the time between filing and assigning cases is reduced. Further, the agency plans to allow alternative methods of filing wage claims in order to reduce the time between filing and assigning cases.

The short-term objectives include training for staff to increase their negotiation skills in order to increase the number of case settlements which will positively affect our case age (it should decrease the number of days that cases are open and invariably reduce the average number of days in the overall inventory). We are also utilizing other labor law enforcement officers to handle wage cases in order to keep case inventories low which will positively affect average case age.

Factors that could have a negative effect on this objective are decreased number of staff members (i.e. resignations or retirement) and the number and complexity of the cases filed, which are unpredictable variables.

PERFORMANCE MEASURE # 3-B

Average # of days between intake and resolution of labor standard claims.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
32.7 days	25.6 days	26.6 days	30.0 days	29.5 days	29.5 days	29 days

Variables that affect the delivery of this core service include:

- Factors that could have a negative affect on this objective are decreased number of staff members and the number and complexity of the cases filed. Both are unpredictable variables.

RESULT OBJECTIVE #3-C

Reduce the number of workplace injuries by 20% by 2009

Baseline performance level: 12,500 injuries

Strategies:

- The federal OSHA Office and its OSHA Strategic Partnership Program (OSPP) are moving away from traditional enforcement methods and embracing collaborative agreements. Through OSPP, OSHA and its partners agree to work cooperatively to address critical safety and health issues. This very different and proactive alliance approach is proving to be an effective tool for reducing fatalities, injuries, and illnesses in the workplace. It is a strong marketing tool for Delaware's Office of Occupational Safety and Health Consultation & Statistics, which is expanding its partnerships and alliances with several organizations throughout the state including the Association of Builders and Contractors, the Delmarva Safety Association, the Delaware Homebuilders Association and the Delaware Contractors Association;
- With the creation of a new Office of Safety and Health for public sector employees in 2005 (HB 219), OSHA Consultation will be receiving some "Tobacco Funds" to enable it to provide additional educational materials and training for public sector employers and employees;
- The Office of Occupational Safety and Health Consultation and Statistics is utilizing statistical data to target high injury rate industries (landscaping, construction). Those companies are being sent general safety and health information related to their industry and the office is offering them one on one confidential consulting sessions. Staff are literally going to these businesses, knocking on their doors and marketing our services to them;

- The office is increasing training sessions in high hazard industries;
- OSHA Consultation relies upon data collected by the OSH statistics office. While this office does excellent work collecting injury and illness data, the data collected does not necessarily reflect the work done by the consultants. Therefore, even though injuries and illnesses may decline over the years, we cannot show a direct correlation. The office will continue to market its services as outlined within the federal FY 2005 performance plan and does not anticipate making any strategic changes at this time.

PERFORMANCE MEASURE # 3-C

Reduction of workplace injuries and illnesses.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
12,400	12,028	11,668	11,318	10,979	10,650	10,331

Variables that affect the delivery of this core service include:

- To reduce the number of workplace injuries over the next four years, an increased demand for the consultation service is generally a factor. An increase in consultations correlates to an increase in employers' educational level of safety and health that, in turn, should reduce the number of injuries/illnesses occurring within the workplace. Unfortunately, the status of the economy, as well as the amount of safety and health enforcement within Delaware greatly impact the number of requests received by the consultation office.

CORE SERVICE # 4

CONNECTING PEOPLE TO RESOURCES

While all sections of the department have a role in making sure that customers are connected promptly and accurately to the resources and services they require, it is the distinct and primary function of the Office of Occupational and Labor Market Information (OOLMI) to provide that core service.

OOLMI conducts the federal surveys for the state that generate the economic statistics and labor market information upon which economic development concerns, businesses, educational institutions and individuals base short term and strategic planning decisions. OOLMI translates raw labor market data into concise analysis of workforce, economic and demographic changes (workforce/economic forecasts) and delivers career and labor market information at a state and county level via information products on-line, in publications, and via occupational training and educational programs to achieve better career decisions. The office is an integral part of the department in that it draws data together and then provides analysis to support the DOL mission.

Accurate, timely connections result in:

- Customers being able to make better career decisions;
- Improved economic, health, political, social status and well-being of women and families;
- Better educated customers resulting in fewer labor law violations, injuries and a better understanding of legal rights and responsibilities;
- Economic, educational and workforce policy based on sound analysis of workforce, economic and demographic data and projected changes.

It is important to note that other private, non-governmental organizations or other jurisdictions may provide the same or similar labor market and economic statistical informational product to current recipients or target populations, but it is from OOLMI that the data is generated. The other entities must obtain their information from the Department of Labor.

KEY OBJECTIVES FOR CONNECTING PEOPLE TO RESOURCES

RESULT OBJECTIVE # 4-A

Increase the availability and utilization of labor market information resources and services by 5% from FY 2006 to FY 2009.

Strategies:

- Form a OOLMI marketing committee to develop outreach strategies;
- Expand dissemination of information and resources through existing networks;

- Develop and expand partnerships with other organizations that have not been aware of the value of labor market information;
- Expand the information, publications and resources links available on the agency's website;
- Increase the number of presentations and workshops provided by the office;
- Increase the distribution of OOLMI publications and products to a wide range of data users.

The operational sets of activities for the office to affect the expected or desired outcome include:

Labor Market Research- ensuring that information and products are designed to be accurate, timely and relevant to serve our customer base;

Referrals- maintaining knowledge of local and national data sources for information to assist with customer requests. OOLMI works closely with the U.S. Dept. of Labor and the Commerce Department on obtaining and providing an extensive amount of quality information to our customers;

Data Requests- tracking the requests for data, publications, training sessions, and presentations;

Web Site- will monitor the usage, quality and customer satisfaction of the OOLMI web site;

Customer Satisfaction Surveys- assessment of customer satisfaction resulting from publications, training sessions and presentations.

OOLMI will measure customer usage, as well as satisfaction with its products and services. The office will strive to continue to meet the needs of all data users including educators, students, jobseekers, training providers, economic development officials and other state and local agencies.

PERFORMANCE MEASURE #4-A

Number of people obtaining OOLMI information. (This will be determined by adding up the number of people who: 1) attend OOLMI training sessions or conferences; 2) inquire on-line; 3) inquire by phone; 4) obtain information via OOLMI's mailing list.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
*	*	*	*	*	*	*

* This is a new measure. A benchmark of a combination of OOLMI activities will be established during the current fiscal year so that future activity may be measured and compared.

Variables that affect the delivery of this core service include:

- The ability to meet the growing needs of our customers could be negatively impacted by staff shortages and decreased federal funding. Lack of funding could alter customer delivery by limiting the number of publications produced and customer workshops completed;
- Advances in technology could help us reach and service our customers in a more cost effective way.

RESULT OBJECTIVE # 4-B

Obtain a satisfaction rate (with DOL services) of 85% by 2007. (In top two out of five point rating scale.) This objective and measure support all of DOL's core services.

Baseline performance level: 84% of responses were in the two highest ratings in 2003.

Strategies: DOL will stay the course with the continuous quality improvement (CQI) effort the department has formally undertaken since applying for the Delaware Quality Award in 2002. The department will continuously:

- Measure performance;
- Obtain and analyze customer, employee and stakeholder feedback as a means of improving services;
- Research best practices from other jurisdictions;
- Look for ways in which information technology can improve DOL's infrastructure and offer e-government service to those who prefer to be served in that manner;
- Refine processes using the "Plan Do Study Act" process;
- Conduct a quality self-assessment during years when applications for the Delaware Quality Award are not filed;
- Implement or enhance initiatives to improve the hiring, training, recognition and retention of its workforce;
- Institute competency-based interviewing to help ensure that the best candidates are hired for a job in DOL;
- Develop a mechanism to evaluate the effectiveness of staff training.

PERFORMANCE MEASURE # 4-B

Overall satisfaction rate with DOL services.

FY 2003 Actual	FY 2004 Actual	FY 2005 Actual	FY 2006 Budget	FY 2007 Projected	FY 2008 Projected	FY 2009 Projected
N/A	82%	84%	85%	86%	86%	87%

Variables that affect the delivery of this core service include:

- Long term and short term factors affecting performance include financial and staff resources, the economy, and a change in administration.

Appendix A

Section C. Summary

CORE SERVICES	OBJECTIVES	PERFORMANCE MEASURES
Connecting people to monetary benefits	Exceed and maintain first payment timeliness average of no less than 90.3 percent.	First payment timeliness for all UI claims
	Maintain a UI trust fund balance to support more than 12 months of benefit payments.	UI Trust Fund Solvency
	Reduce the number of days between the filing of a workers' compensation petition and a decision mailed by 5% per year for the next three years.	Number of days between filing a workers' comp petition and a decision mailed.
	Adjudicate disability discrimination claims within an average of 85 days on an annual basis.	Average processing time of disability determination cases
	Maintain a 96% accuracy rating from federal quality review of DDS cases	Accuracy rating of adjudicated DDS cases
Connecting people to jobs	Place seven out of 10 people in jobs	Entered employment rate
	Obtain a retained employment rate (in jobs for nine months) by FY 2007 for DET customers.	Retained employment rate for DET customers
	Increase the # of employment outcomes for severely disabled customers by 1% each year for the next three years.	Number of severely disabled customers placed in jobs
	Increase # of disabled clients who retain employment by at least 12 months by 2% per year for the next two years.	Retained employment rate for DVR clients placed in jobs (six months and 12 months after employment)
Connecting people to workforce protections	Decrease the average time to resolve discrimination cases to 182 days over the next three years	Ave. # of days between intake and resolution of discrimination in employment cases
	Decrease average amount of time to resolve labor standard cases by 5% over the next two years.	Ave. # of days between intake and resolution of labor standards claims
	Reduce the # of workplace injuries by 20% by 2008.	Reduction of workplace injuries and illnesses
Connecting people to resources	Increase availability and utilization of labor market information resources and services by 5% from FY 2006 to FY 2009.	Number of people obtaining OOLMI information.
Supporting all core services	Overall objective for all core services: Obtain an overall "highly satisfied" satisfaction rate ranking of 85% from customers by 2007.	Customer satisfaction

Appendix B

DEPARTMENT MANDATES

State:

- Title 29, Delaware Code, Ch. 85 (Department of Labor) and Ch. 69, subchapter IV (Public Works Contracting)
- Title 19, Delaware Code, (covers state labor laws, workers' compensation and unemployment insurance laws; Blue Collar Jobs Act)
- Title 16, Delaware Code, Ch. 29 (Clean Indoor Air Act)
- State Summer Youth Employment Program (Budget Epilogue).

Federal:

- Rehabilitation Act (DVR)
- Ticket to Work Act (DVR)
- Workforce Investment Act,
- Social Security Act (Titles II and XVI for DVR; Title III for unemployment insurance)
- Civil Rights Act of 1964
- Age Discrimination in Employment Act
- Americans with Disabilities Act
- Laws governing aliens, migrant farm-workers, veterans, youth, dislocated workers, adults with barriers to work, employers, prison to work, and welfare to work.
- Federal Unemployment Tax Act (FUTA);
- U.S Bureau of Labor Statistics laws
- Carl Perkins Act (USDOE)

Appendix C

CUSTOMERS/CONSTITUENCIES

The department had identified three major groups as its primary customers. They are:

- Unemployed individuals
- Employed individuals
- Employers

OTHER STAKEHOLDERS

- Labor unions
- Governor Minner administration
- Other governmental agencies at all levels, including state agencies that serve customers in common, such as the Delaware Economic Development Office and divisions within the Department of Health and Social Services.
- Advocacy groups
- Federal government funding and regulatory authorities (USDOL, USDOE; SSA)
- Families
- Workers' compensation insurance carriers
- Boards, councils, commissions (Workforce Investment Board, Delaware Commission for Women, Unemployment Insurance Appeal Board, Unemployment Compensation Advisory Council, Industrial Accident Board, Prevailing Wage Advisory Council, etc.)
- Service providers
- Delaware Association of Rehabilitation Facilities
- Department of Education, school districts, post-secondary educational institutions, technical schools, proprietary training vendors
- Economic development interests
- Community and faith based organizations
- Delaware courts
- Health care providers
- Department of Labor employees

Department Name/Agency: DEPARTMENT OF LABOR
APU/IPU #: 60-00-00
Contact Name: Richard Eakle
Telephone Number: (302) 422 - 1557
Email Address: richard.eakle@state.de.us
Date: October 11, 2005